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REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are made obvious under the provisions of 35 U.S.C. §103, and all of the claims satisfy the enablement requirement of 35 U.S.C. § 112. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 1, 3-20 AND 22-40 UNDER 35 U.S.C. § 112

The Examiner has rejected claims 1, 3-20 and 22-40 under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the enablement requirement. In response, the Applicants have amended independent claims 1 and 20, from which claims 3-19 and 22-38 depend, as well as independent claims 39 and 40, in order to more clearly recite aspects of the invention.

In particular, the Examiner submits that the claim language "allows for the user [to] make[] a determination based on supporting evidence and the user (outside the computer) using the evidence to form at least one answer" (*See*, page 3 of the Final Office Action). In the alternative, the Examiner submits that "if the computer somehow takes the associated evidence and processes it to generate a new argument .... this is not described in the specification ..." (*See*, pages 3-4 of the Final Office Action).

The Applicants have amended the claim language to clarify the nature of the argument that is generated by the claimed invention. Specifically, the Applicants have amended claims 1, 20, 39 and 40 to recite that an argument generated (*e.g.*, by a computer) in accordance with the present invention comprises: (1) an argument template, selected by a user from among a plurality of templates; (2) answers provided by the user in response to questions in the selected template; (3) supporting evidence provided by the user to support his or her answers; and (4) and the conclusion supported by the argument template, in light of the answers provided by the user. In light of these amendments, the Applicants respectfully submit that it is clear that the computer does not simply take the associated evidence and generate a new argument, but rather forms an argument using a plurality of inputs including the argument's template (as selected by the user), the user-provided answers and supporting evidence

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and the conclusion (that is supported by the user-provided data).

Moreover, the Examiner submits in the response to arguments that the claim language contains "no language requiring the computer to somehow use the supporting evidence or even provide the supporting evidence, much less associate the supporting evidence and then generate a new argument supporting an associated conclusion ..." (See, page 20 of the Final Office Action). The Applicants respectfully disagree and submit that at least independent claims 1, 20, 39 and 40 clearly recite these precise steps. For example, claims 1, 20, 39 and 40 clearly require that the computer "use" the supporting evidence by "associating" the supporting evidence with one or more of the user's answers to template questions (See, e.g., claim 1: "means for associating said supporting evidence with said answers to said template questions", emphasis added) and by "generating" an argument that comprises, in part, the supporting evidence (See, e.g., claim 1: "means for generating a new argument supporting an associated conclusion, the argument comprising the selected template, the associated answers, the supporting evidence and the associated conclusion ...", emphasis added). Moreover, the Applicants respectfully submit that it is clear from the claim language that the user, and not the computer, is providing the supporting evidence, as the supporting evidence is "received" from the user (See, e.g., claim 1: "means for receiving supporting evidence from said user", emphasis added).

Therefore, the Applicants submit that independent claims 1, 20, 39 and 40, as amended, fully satisfy the requirements of 35 U.S.C. §112. Dependent claims 3-19 and 22-38 depend from claims 1 and 20 and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 3-19 and 22-38 also fully satisfy the requirements of 35 U.S.C. §112. Accordingly, the Applicants respectfully request that the rejection of claims 1, 3-20 and 22-40 under 35 U.S.C. §112 be withdrawn.

II. REJECTION OF CLAIMS 1, 3-20 AND 22-40 UNDER 35 U.S.C. § 103

A. Claims 1, 3-14, 17-20, 22-33 and 36-40

The Examiner has rejected claims 1, 3-14, 17-20, 22-33 and 36-40 under 35

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U.S.C. §103(a) as being unpatentable over the Calver application (United States Patent Application Publication No. 2001/0032092, published on October 18, 2001, hereinafter "Calver") in view of the Janssen patent (United States Patent No. 6,098,062, issued August 1, 2000, hereinafter "Janssen"). In response, the Applicants have amended independent claims 1 and 20, from which claims 3-14, 17-19, 22-33 and 36-38 depend, as well as independent claims 39 and 40, in order to more clearly recite aspects of the present invention.

In particular, the Applicants respectfully submit that Calver and Janssen, singly or in any permissible combination, fail to disclose or suggest the novel invention of generating a new argument supporting an associated conclusion, where the argument comprises: (1) a template selected by a user and including a plurality of questions; (2) the user's answers to the template questions; (3) supporting evidence provided by the user in connection with the answers; and (4) the associated conclusion, indicating whether a situation given by the completed template will likely have a positive or negative result, as recited by amended claims 1, 20, 39 and 40.

Specifically, Applicants' claims 1, 20, 39 and 40, as amended, recite:

1.   An analytical system for facilitating decision making given a situation by generating and accessing arguments, wherein each argument supports an associated conclusion as to whether the given situation will likely have a negative or positive result, the analytical system comprising:
    a database for storing a plurality of templates that each include a plurality of questions which when answered generate a particular argument supporting an associated conclusion regarding a particular situation that is based on answers to its associated template questions; and
        an argument server comprising:
            means for a user to select one of the templates which is most relevant to the given situation
            means for receiving answers to one or more of the selected template's questions from said user;
            means for receiving supporting evidence from said user in response to said one or more of the selected template's questions, the supporting evidence being relied on by the user to form at least one of the answers;
            means for associating said supporting evidence with said answers to said template questions;
            means for generating a new argument supporting an associated

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conclusion, <u>the argument comprising the selected template, the associated answers, the supporting evidence and the associated conclusion</u> indicating whether the given situation will likely have a positive or negative result; and

means for publishing said new argument, including said answers, said supporting evidence and said associated conclusion, for review. (Emphasis added)

20.   A method for facilitating decision making given a situation by accessing or generating an argument supporting a conclusion for the given situation, the method comprising:

presenting to a user a plurality of searchable templates, wherein each template includes a plurality of questions;

receiving from said user a selection of one of said templates, said one of said templates being a relevant template most related to the given situation;

receiving from said user one or more answers to one or more questions of the relevant template;

receiving from said user supporting evidence in response to said one or more questions, the supporting evidence being relied on by the user to form at least one of the answers;

associating said supporting evidence with at least one answered template question;

forming a new argument supporting a conclusion, <u>the argument comprising the selected one of said templates, the one or more answers, the supporting evidence and the conclusion</u>; and

publishing said new argument, including said at least one answered template question, said supporting evidence and said conclusion, for review. (Emphasis added)

39.   A computer readable medium containing program instructions for facilitating decision making given a situation by accessing or generating an argument supporting a conclusion for the given situation, the computer readable medium comprising:

computer code for presenting to a user a plurality of searchable templates, wherein each template includes a plurality of questions;

computer code for receiving from said user a selection of one of said templates, said one of said templates being a relevant template most related to the given situation;

computer code for receiving from said user one or more answers to one or more questions of the relevant template;

computer code for receiving from said user supporting evidence in response to said one or more questions, the supporting evidence being relied on by the user to form at least one of the answers;

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        computer code for associating said supporting evidence with at least one answered template question;

        computer code for forming a new argument supporting a conclusion, <u>the argument comprising the selected one of said templates, the one or more answers, the supporting evidence and the conclusion</u>;

        computer code for publishing said new argument, including said answers, said supporting evidence and said conclusion, for review; and

        a computer readable medium that stores the computer codes. (Emphasis added)

40.   A computer system operable facilitate decision making given a situation by accessing or generating an argument supporting a conclusion for the given situation, the computer system comprising:

        one or more processors;

        one or more memory, wherein at least one of the processors and memory are adapted to:

        present to a user a plurality of searchable templates, wherein each template includes a plurality of questions;

        receive from said user a selection of one of said templates, said one of said templates being a relevant template most related to the given situation;

        receive from the user one or more answers to one or more questions of the relevant template;

        receive from the user supporting evidence in response to the one or more questions, the supporting evidence being relied on by the user to form at least one of the answers;

        associate the supporting evidence with at least one of the one or more answers;

        form a new argument supporting a conclusion, <u>the argument comprising the selected one of said templates, the one or more answers, the supporting evidence and the conclusion</u>; and

        publish the new argument, including the one or more answers, the supporting evidence and the conclusion, for review. (Emphasis added)

By contrast, the combination of Calver and Janssen at most teaches that <u>questions</u> are posed to a user, where the questions are based on the user's answers to previous questions (*See, e.g.*, Calver at paragraph [0077]: "... it is necessary to present <u>intermediate-level questions</u> to the user that are more specific than those questions presented to the user in the aforementioned [ ] Pre-Qualifying Templates", emphasis added). Thus, the Examiner equates the secondary questions of Calver with the claimed arguments. While it can be broadly argued that a question has an "associated

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conclusion" <u>when it is answered</u>, the claimed invention clearly indicates that an "argument" is a <u>completed template</u> (*i.e.*, including answers to the questions and associated supporting evidence) and <u>not</u> another template (or set of <u>unanswered questions</u>). The "argument" provided by Calver in response to a user's answers is simply a new set of unanswered questions that cannot yield a "conclusion" without further user input, and not a completed product. Thus, Calver and Janssen, singly or in any permissible combination, fail to teach the generation of an argument as defined in the Applicants' amended claims 1, 20, 39 and 40.

In addition, as argued in the Applicants' response of September 25, 2006, the Applicants submit that the teachings of Calver and Janssen provide <u>no motivation</u> for their combination to support the rejection under 35 U.S.C. §103. In the Examiner's response to arguments, the Examiner alleges that the motivation for this combination may be found in Janssen at column 6, lines 17-24. The cited portion of Janssen, however, merely discusses the failures of prior art decision making efforts to consider large numbers of sources and to document explicit grounds for hypotheses in a decision making process. The Applicants respectfully fail to see how the reference to these shortcomings would motivate one of ordinary skill in the art of decision making to consider the web-based e-commerce portal of Calver, which does not teach or suggest anything relating to the building of arguments, *e.g.*, to support conclusions relating to a given situation.

Accordingly, the Applicants submit that for at least the reasons set forth above, independent claims 1, 20, 39 and 40 fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Dependent claims 3-14, 17-19, 22-33 and 36-38 depend from claims 1 and 20 and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 3-14, 17-19, 22-33 and 36-38 are not made obvious by the teachings of Calver in view of Janssen. Therefore, the Applicants submit that dependent claims 3-14, 17-19, 22-33 and 36-38 also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

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B. Claims 15-16 and 34-35

The Examiner has rejected claims 15-16 and 34-35 under 35 U.S.C. §102(e) as being unpatentable over Calver in view of Janssen and further in view of the Grosser et al. patent (United States Patent No. 6,826,552, issued November 30, 2004, hereinafter "Grosser"). The Applicants respectfully traverse the rejection.

As discussed above, the teachings of Calver and Janssen, singly or in any permissible combination, fail to disclose or suggest the novel invention of generating a new argument supporting an associated conclusion, where the argument comprises: (1) a template selected by a user and including a plurality of questions; (2) the user's answers to the template questions; (3) supporting evidence provided by the user in connection with the answers; and (4) the associated conclusion, indicating whether a situation given by the completed template will likely have a positive or negative result. Grosser fails to bridge this gap in the teachings of Calver and Janssen. Therefore, the Applicants submit that for at least the reasons set forth above, independent claims 1 and 20 fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

Dependent claims 15-16 and 34-35 depend from claims 1 and 20 and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 15-16 and 34-35 are not made obvious by the teachings of Calver in view of Janssen and further in view of Grosser. Therefore, the Applicants submit that dependent claims 15-16 and 34-35 also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

III. CONCLUSION

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §112 and 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.
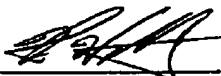
If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so

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that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

_____3/15/07_____
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